

# ***NEWS RELEASE***

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***OFFICE OF THE UNITED STATES ATTORNEY  
SOUTHERN DISTRICT OF CALIFORNIA  
San Diego, California***

***United States Attorney  
Carol C. Lam***

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***For Immediate Release***

**NEWS RELEASE SUMMARY** - May 10, 2006

United States Attorney Carol C. Lam announced that a local electroplating firm and its owner were found guilty by a federal jury earlier today in United States District Court in San Diego of 24 violations of the federal Clean Water Act, following a week-long trial before Judge Napoleon A. Jones.

According to the evidence presented at trial, Victor's Premier Plating, Inc. and owner and operator Victor Zuniga exceeded the legal limits on discharging wastewater contaminated with zinc on 18 occasions, wastewater contaminated with chromium on one occasion, and wastewater with a low (acidic) pH on four occasions, all between December 2001 and January 2003. The defendants were also convicted of discharging wastewater at a second location between October 2003 and November 2003, without first obtaining a discharge permit. Wastewater that exceeds the limits for heavy metals such as zinc and chromium is likely to pass through the sewage treatment plant and be discharged into the ocean because the Point Loma Wastewater Treatment Plant is not designed to treat heavy metals.

U.S. Attorney Lam said, "The jury's verdict serves as a reminder that this office views protection of our coastal waters as a matter of critical importance."

"With readily available technology solutions, it is easy and cost-effective for businesses to install and maintain a pre-treatment system," said Alexis Strauss, Director of the EPA's Water Division in the Pacific Southwest. "This is a vital step for removing harmful pollutants at their source, to protect the public wastewater plant and coastal waters downstream. The U.S. Attorney's Office's prosecution of this matter -- with support from EPA's Criminal Investigation and Water Divisions -- reinforces our ongoing commitment to ensure that all comply with the nation's environmental and public health requirements."

Sentencing for both defendants is scheduled for August 11, 2006, at 8:00 a.m. before Judge Jones.

### **DEFENDANTS**

Victor's Premier Plating, Inc.

Victor Zuniga

### **SUMMARY OF CHARGES**

Counts 1, 3-25: Unlawful Discharge of Pollutants, in violation of Title 33, United States Code, Sections 1317(d) and 1319(c)(2)(A)  
Maximum Penalty: 3 years in custody and/or a \$50,000 fine per day of violation (and a minimum fine of \$5,000 per day of violation)

### **AGENCIES**

U.S. Environmental Protection Agency - Criminal Investigation Division  
City of San Diego Metropolitan Wastewater Department - Industrial Wastewater Control Program  
Federal Bureau of Investigation